

LOUISIANA BOARD OF ETHICS
MINUTES
June 21, 2013

The Board of Ethics met on June 21, 2013 at 9:00 a.m. in the LaBelle Room on the 1st floor of the LaSalle Building located at 617 North Third Street, Baton Rouge, Louisiana with Board Members Backhaus, Blewer, Ingrassia, Leggio, Lemke, McAnelly, Monroe and Stafford present. Absent were Board Members Bruneau, Schneider and Shelton. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Aneatra Boykin, Mike Dupree, Brent Durham, Jennifer Land and Suzanne Mooney.

The Board considered a request to withdraw the request for a Declaratory opinion in Docket No. 13-666 regarding whether Senator Dan Morrish, a member of the Louisiana Citizens Property Insurance Corporation Board of Directors, may resign from the Senate and the Corporation to apply for the Chief Executive Officer's position with the Corporation. On motion made, seconded and unanimously passed, the Board allowed the withdrawal of the request for the Declaratory opinion, since Senator Morris was no longer pursuing the position as CEO with the Louisiana Citizens Property Insurance Corporation.

Mr. Earl Dauterive III, a candidate for St. Bernard Council, Western Division in the October 22, 2011 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-533 for a waiver of the \$1,560 and \$360 late fees assessed against him for filing his 30-P and 10-P campaign finance disclosure reports 26 and 6 days late. After hearing from Mr. Dauterive, on motion made, seconded and unanimously passed, the Board reduced the \$1,560 late fee to \$1,000 and reduced the \$360 late fee to \$250 and suspended the balance of \$1,250 conditioned upon future compliance with the

Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-2047 for a waiver of the \$1,000 and \$1,000 late fees assessed against John Perry Gallow, a candidate for the City of Opelousas Police Chief in the October 2, 2010 election, for filing his EDE-P and 10-G campaign finance disclosure reports 55 and 147 days late. On motion made, seconded and unanimously passed, the Board continued the matter to the July meeting.

Ms. Deborah Alexander, a member of the St. Gabriel City Council, appeared before the Board in connection with a request in Docket No. 13-281 for a waiver of the \$2,500 late fee assessed against her for filing her 2009 Tier 2 annual personal financial disclosure statement 339 days late; a \$2,500 late fee assessed against her for filing her 2010 Tier 2 annual personal financial disclosure statement 339 days late; and a \$2,500 late fee assessed against her for filing her 2011 Tier 2 annual personal financial disclosure statement 94 days late. After hearing from Ms. Alexander, on motion made, seconded and unanimously passed, the Board waived the \$2,500 late fee associated with the 2009 Tier 2 annual personal financial disclosure statement, based on the waiver guidelines; declined to waive the \$2,500 late fee associated with the 2010 Tier 2 annual personal financial disclosure statement, but suspended \$1,500 conditioned upon future compliance with the Code of Ethics; and, declined to waive the \$2,500 late fee associated with the 2011 Tier 2 annual personal financial disclosure statement.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-312 for a waiver of the \$400 and \$400 late fees assessed against Michael A. Ragusa, a candidate for Mayor of Independence in the March 24, 2012 election,

for filing his EDE-P and EDE-G campaign finance disclosure reports 294 and 279 days late. On motion made, seconded and unanimously passed, the Board continued the matter to the July meeting.

Mr. Stanley Washington, a member of the Iberville Parish School Board, appeared before the Board in connection with a waiver request in Docket No. 13-378 in response to a demand letter received demanding payment of a \$1,500 late fee assessed for filing his amended 2009 Tier 3 annual personal financial disclosure statement 165 days late. After hearing from Mr. Washington, on motion made, seconded and unanimously passed, the Board declined to consider Mr. Washington's waiver request, since it was submitted untimely and in response to a demand letter but advised Mr. Washington that he could establish a payment plan with the staff.

The Board considered a request in Docket No. 13-396 for a waiver of the \$2,500 late fee assessed against Clarence Williams, a candidate for Terrebonne Parish Assessor in the October 22, 2011 election, for filing his 2010 Tier 2 candidate personal financial disclosure statement 330 days late. On motion made, seconded and unanimously passed, the Board waived the \$2,500 late fee, based on the waiver guidelines.

Mr. Claude "Curtis" Hodge, Jr., a candidate for Washington Parish Sheriff in the October 22, 2011 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 13-432 for a waiver of the \$600 late fee assessed against him for filing his EDE-P campaign finance disclosure report 150 days late. After hearing from Mr. Hodge, on motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

The Board considered a request in Docket No. 13-577 for a waiver of the \$1,500 late fee

assessed against Ray Trisler, Richland Parish Constable, for filing his 2010 Tier 3 annual personal financial disclosure statement 345 days late. On motion made, seconded and unanimously passed, the Board continued the matter to the July meeting.

The Board considered a request in Docket No. 13-590 for a waiver of the \$202,000 late fee assessed against Niki Papazoglakis, candidate for Governor in the October 22, 2011 election, for filing her 2010 Tier 1 candidate personal financial disclosure statement 404 days late. On motion made, seconded and unanimously passed, the Board waived the \$202,000 late fee, based on Ms. Papazoglakis' medical condition and on the waiver guidelines.

Ms. Rose McCulloch, a member of the Shreveport City Council, appeared before the Board in connection with a request in Docket No. 13-258 for a waiver of the \$2,200 late fee assessed against her for filing her amended 2010 Tier 2 annual personal financial disclosure statement 22 days late. After hearing from Ms. McCulloch, on motion made, seconded and unanimously passed, the Board waived the \$2,200 late fee based on the waiver guidelines.

Mr. John Moore, a Red River Parish Constable, appeared before the Board in connection with a request in Docket No. 13-440 for a waiver of the \$1,500 late fee assessed against him for filing his 2010 Tier 3 annual personal financial disclosure statement 327 days late. The Board unanimously agreed to add to the agenda for consideration, a waiver request for the \$1,500 late fee assessed against Mr. Moore for filing his 2011 Tier 3 annual personal financial disclosure statement 90 days late. After hearing from Mr. Moore, on motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee associated with the late filing of the 2010 Tier 3 annual personal financial disclosure statement and declined to waive the \$1,500 late fee associated with the late filing of the 2011 Tier 3 annual personal financial disclosure statement but suspended \$1,000

conditioned upon future compliance with the Code of Governmental Ethics.

The Board recessed at 10:24 a.m. and resumed back into general business session at 10:42 a.m.

The Board unanimously resolved into executive session to consider complaints and reports deemed confidential pursuant to Section 1141 of the Code of Governmental Ethics.

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EXECUTIVE BUSINESS

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The Board unanimously resolved into general business session and adopted the following general consent agenda items:

Adopted for publication, a consent opinion in Docket No. 11-1303 in which Margie Sharp agrees that a violation of Section 1113A of the Code of Governmental Ethics occurred by her submission of a subdivision plan to the Livingston Parish Planning Department for approval while her husband, Ronnie Sharp, served as a member of the Livingston Parish Council and in which Ms. Sharp agrees to pay a fine of \$100.

Adopted an advisory opinion in Docket No. 13-295 concluding that no violation of the Code of Governmental Ethics is presented by Firmin Construction Corporation bidding on public works projects at a time when the owner, H.P. Firmin, III, serves as a member of the Baton Rouge Construction Board of Appeals and the City of Central Construction Board of Appeals, as long as the bid documents and subsequent contract and work are not under the supervision and jurisdiction of the Baton Rouge Construction Board of Appeals or the City of Central Construction Board of Appeals. The Board further advised that Firmin Construction and/or H.P. Firmin, as well as any

client of Firmin Construction and/or H.P. Firmin, may be prohibited from filing an appeal with the Baton Rouge Construction Board of Appeals and the City of Central Construction Board of Appeals while he serves as a member of these boards. The Board further cautioned that Mr. Firmin should be aware of the prohibition in Section 1112 of the Code of Governmental Ethics regarding his participation in transactions involving the Baton Rouge Construction Board of Appeals and the City of Central Construction Board of Appeals.

Adopted an advisory opinion in Docket No. 13-452 concluding that Wade Delahoussaye, a former member of the Acadia Soil & Water Conservation District, is not required to file his 2012 Tier 2.1 annual personal financial disclosure statement, due to his medical condition and the fact the he is no longer a member of the District's board.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G14-G17en globo subject to any items being removed from the en globo listing for further

Adopted an advisory opinion in Docket No. 13-466 concluding that no violation of the Code of Governmental Ethics is presented by Maxie Monroe, a former Jonesboro Police Officer and member of the Jackson Parish Police Jury, accepting a position with the Jackson Parish Correctional Facility, since Ms. Monroe will not be entering into a transaction or contract under the supervision of the Jackson Parish Police Jury, participating in any transaction in which she participated as an officer for Jonesboro or assisting another person in a transaction with the Jonesboro Police Department.

Allowed the withdrawal of a request for an advisory opinion in Docket No. 13-491 regarding whether Ed Antie may be appointed to the Louisiana Board of Regents while he and his wife own an interest in Central Telephone, at the request of Mr. Antie's attorney.

Adopted an advisory opinion in Docket No. 13-494 concluding that no violation of the Code of Governmental Ethics is presented by Dinah Millet Foreman, the former Program Manager of the Operator Certification Program within the Department of Health and Hospitals, Office of Public Health (DHH), contracting with the Louisiana Drinking Water State Revolving Fund (SRF) Program to provide management training sessions, since she will not be assisting SRF in transactions in which she participated during her employment with DHH.

Allowed the withdrawal of a request for an advisory opinion in Docket No. 13-499 regarding Michael McKenna being employed with American Traffic Solutions (ATS) following his employment with the City of New Orleans (City), since Mr. McKenna is no longer considering employment with ATS and the issue is now moot.

Declined to render an advisory opinion in Docket No. 13-501 regarding Donna Bertrand, the Acadia Parish Human Resource Director, being appointed to the Personnel Committee of the Acadia Parish Police Jury, since the issue involved past conduct.

Adopted an advisory opinion in Docket No. 13-503 concluding that no violation of the Code of Governmental Ethics is presented by the appointment of a staff member of the Washington Parish Hospital Service District 1 as a Commissioner to serve on the Washington Parish Hospital Service District Board, since the statute creating and controlling the appointment process creates an exception which allows a staff member of Washington Parish Hospital to be appointed as a Commissioner to the Hospital Board and, under the circumstances presented, Section 1113A would not prohibit any member of the staff of Riverside Medical Center from being appointed to the Hospital Board because of a routine employment contract with the Hospital. The Board further concluded that Section 1113A would not prohibit a staff member who is also employed by another

hospital in a neighboring district from being appointed to the hospital board.

Adopted an advisory opinion and approved the disqualification plan in Docket No. 13-509 concluding that no violation of the Code of Governmental Ethics is presented by Kyle Machen being selected by the Bossier Parish School District as principal within the school system while his father, D.C. Machen, is superintendent of the School District, since Mr. Kyle Machen was initially employed as a classroom teacher and was then promoted to assistant principal within the Bossier School District and since the promotion of assistant principal to principal within the School District is a "normal promotional advancement" as contemplated by Section 1119C(2) of the Code of Governmental Ethics. The Board further advised that the Disqualification Plan which was submitted would be in accordance with Section 1112C of the Code of Governmental Ethics and Chapter 14 of the Rules for the Board Ethics as an alternative measure to prevent Superintendent Machen's participation in transactions in which his son has a substantial economic interest.

Adopted an advisory opinion in Docket No. 13-518 concluding that no violation of the Code of Governmental Ethics is presented by Joseph D'Antoni and D'Antoni's Lawn Care and pressure Washing Service, LLC becoming a vendor for the City Parish of Baton Rouge while Mr. D'Antoni is a full-time employee of the Baton Rouge Fire Department, as long as those services are not provided to his assigned fire station.

On a vote of 7 yeas by Board Members Backhaus, Blewer, Ingrassia, Leggio, McAnelly, Monroe and Stafford and 1 nay by Board Member Lemke, adopted an advisory opinion in Docket No. 13-640 concluding that Section 1111C(2)(d) of the Code of Governmental Ethics prohibits Ryan Friedlander, an employee with the Lafourche Parish Assessor's Office, from providing accounting and tax services to residents of Lafourche Parish, since Mr. Friedlander's clients have a substantial

economic interest that may be affected by the performance or nonperformance of his official duty.

In connection with a request for an advisory opinion in Docket No. 13-644 regarding William Hulin being promoted to the Iberia Parish Facility Maintenance Supervisor while his wife serves as custodian of New Iberia's Veterans Memorial Building, deferred the matter to the July meeting and instructed the staff to obtain additional information.

Adopted an advisory opinion in Docket No. 13-645 concluding that no violation of Section 1121 of the Code of Governmental Ethics is presented by Carl Noel Hunt, the former Director of the Office of Human Resources for the Louisiana House of Representatives, becoming employed as a lobbyist within the two (2) year period from his retirement from the House of Representatives, since Mr. Hunt was not an agency head within the House of Representatives and did not participate in any legislation while serving as a public employee.

Absent specific facts, declined to render an advisory opinion in Docket No. 13-646 regarding whether current or former state employees may provide services to companies that are regulated by the Department of Health and Hospitals.

Adopted an advisory opinion in Docket No. 13-652 concluding that no violation of the Code of Governmental Ethics is presented by Martin J. Perret reinstating his sponsorship of his business, Quality Plus Insurance, on a radio program hosted by James Perot, an employee of the Department of Insurance (DOI), since Mr. Perot carries out his primary responsibilities in the Financial Solvency Division of the Department of Insurance and Mr. Perret, his business, and his employees are regulated by the Producer Licensing Division of the Department of Insurance. Therefore, Mr. Perot's agency does not regulate Mr. Perret or his business. Further, since Mr. Perot is an analyst in the Financial Solvency Division, and it is principally his job duties to review financial statements of

insurance companies then Mr. Perret nor his business has a substantial economic interest in the performance or nonperformance of Mr. Perot's job duties.

Adopted an advisory opinion in Docket No. 13-654 concluding that no violation of the Code of Governmental Ethics is presented by Angela Bitner continuing to contract with the St. Tammany Gravity Drainage District No. 5 as a part time bookkeeper while she is employed with the St. Tammany Parish Government as an Internal Analyst in the Department of Finance nor is Ms. Bitner required to file any disclosure statements with the Board.

Adopted an advisory opinion in Docket No. 13-662 concluding that Section 1111(C)(2)(d) of the Code of Governmental Ethics prohibits the appointment of R.E. "Bob" Miller, sole owner of Major Equipment and Remediation, to the Louisiana Mineral Board, since Major Equipment contracts with oil companies who operate in the State of Louisiana to rent large machinery and loans employees to the companies and since the oil companies to which Mr. Miller's company provides services for, bid on oil leases from the state and the Mineral Board oversees the process regarding the bidding on an administration of oil leases in the state.

Adopted an advisory opinion in Docket No. 13-664 concluding that Section 1113 of the Code of Governmental Ethics prohibits a retail store, The Chalk Board & Gifts, owned by Teresa Hibbets, an itinerate teacher employed by the Ouachita Parish school system, from conducting business with the schools in which she is employed, Woodlawn Elementary and Pinecrest, since those schools are both considered Ms. Hibbets' agencies.

Adopted an advisory opinion in Docket No. 13-679 concluding that Section of 1121B of the Code of Governmental Ethics prohibits Justin Peltier, a former employee of the Department of Transportation and Development (DOTD), from assisting his current employer, Huval and

Associates, for a period of two years following the termination of his public employment, in projects involving the DOTD in which he specifically participated while employed with DOTD. The Board further advised that no violation of the Code of Governmental Ethics is presented by Mr. Peltier assisting Huval and Associates in either the Pete's Highway or Gramercy Projects, since he did not participate as a public employee with the DOTD in either of those projects.

Adopted an advisory opinion in Docket No. 13-680 concluding that Section 1121B of the Code of Governmental Ethics prohibits Joshua Stutes, a former employee with the Department of Transportation and Development (DOTD), from assisting his current employer, Fenstermaker, for a period of two years following the termination of his public employment, in projects involving the DOTD in which he specifically participated in while employed with District 61 of the DOTD. The Board further advised that since any matter in which Mr. Stutes provided services for the DOTD District 61 will be delegated to non-conflicting staff, then no violation of the Code of Governmental Ethics is presented.

Allowed the withdrawal of a request for an advisory opinion in Docket No. 13-834 regarding whether Ken Singleton, a member of the St. Mary Parish Council, may sell a lot that he owns to the Plains Pipeline Company which may require a permit from the Parish Engineer, since Mr. Singleton has decided to complete the sale of the property before the Plains Pipeline Company requests any type of permit from the Parish Engineer.

Deferred to the July meeting, consideration of charges in Docket No. 11-1538 against Ronald Goff for his failure to file his 2010 Tier 2 annual personal financial disclosure statement.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G34-G39 en globo subject to any items being removed from the en globo listing for further

discussion. On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on items G34-G39 taking the following action:

Dismissed the charges against James Roland, a member of the West Feliciana Parish Port Commission, in Docket No. 12-006 in connection with the failure to file his 2010 Tier 2.1 annual personal financial disclosure statement, since the statement had been filed.

Dismissed the charges against Joseph Wall, St. Helena Parish Constable, Ward 1, in Docket No. 12-910 in connection with the failure to file his 2009 and 2010 Tier 3 annual personal financial disclosure statements, since the statements had been filed.

Dismissed the charges against Renard Southall, a member of the Napoleonville Board of Aldermen, in Docket No. 12-930 in connection with the failure to file his 2009 Tier 3 candidate and 2010 Tier 3 annual personal financial disclosure statements, since the statements had been filed.

Dismissed the charges against Keith Johnson, a member of the Ringgold Board of Aldermen, in Docket No. 12-937 in connection with the failure to file his 2010 Tier 3 annual personal financial disclosure statement, since the statement had been filed.

Dismissed the charges against Irvrie Johnson, a member of the Port Allen City Council, in Docket No. 12-954 in connection with the failure to file his 2009 and 2010 Tier 3 annual personal financial disclosure statements, since the statements had been filed.

Dismissed the charges against Wendy Benedetto, a member of the St. Charles Parish Council, in Docket No. 12-958 in connection with the failure to file her 2009 Tier 2 annual personal financial disclosure statement, since the statement had been filed.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the

May 16-17, 2013 meetings.

The Board considered a request in Docket No. 13-416 for a waiver of the \$2,500 late fee assessed against James Scarborough, a candidate for Mayor of the City of Natchitoches in the March 24, 2012 election, for filing his 2010 Tier 2 candidate personal financial disclosure statement. On motion made, seconded and unanimously passed, the Board declined to consider the waiver request, since it was not timely submitted.

The Board considered a request for an advisory opinion in Docket No. 13-506 regarding whether the spouse of Scott Barrilleaux, CEO for the Madison Parish Service District Hospital d/b/a Madison Parish Hospital, may be employed as a certified medical coder for the hospital. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Brandy Barrilleaux accepting a position with Madison Parish Hospital while her husband serves as the hospital's CEO, since Ms. Barrilleaux meets all of the requirements set forth in the exception in Section 1119B of the Code of Governmental Ethics in that the position of Medical Coder is an allied health professional position; the population of Madison Parish is less than 100,000; the position was advertised in the local newspaper; and, Ms. Barrilleaux was the only qualified person who applied for the position. The Board further advised that Section 1119B (2) (b) (iii) of the Code of Governmental Ethics provides that Mr. Barrilleaux must recuse himself from participating in any decisions regarding his wife's employment with the Hospital District and he must provide a disclosure statement to the Board of Ethics disclosing the facts of the employment no later than January 13th of each year.

The Board considered a request for an advisory opinion in Docket No. 13-663 regarding whether Senic Batiste, a newly appointed member of the Greater Krotz Springs Port Commission

and an employee of Chevron, may make a gift of a ball point pen to each of the other members on the Commission which bears his employer's logo. On motion made, seconded and passed, by a vote of 7 yeas by Board Members Backhaus, Blewer, Ingrassia, Leggio, Lemke, McAnelly and Stafford and 1 nay by Board Member Monroe, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Batiste's gift of ball point pens bearing his employer's logo to his fellow members of the Greater Krotz Springs Port Commission, since the pen with the company logo is valued at \$35 and does not have substantial resale value and, as such, meets the exception for promotional items that have no substantial resale value.

The Board considered a request for an advisory opinion in Docket No. 13-734 regarding whether the employer of Aaron Griffin, Lafourche Parish Fire District No. 1 Assistant Fire Chief, may bid on and be awarded a contract with the fire district. On motion made, seconded and unanimously passed, the Board deferred the matter to the July meeting.

Ms. Allen provided an overview of the bills introduced during the 2013 Regular Legislative Session that affect laws under the jurisdiction of the Board of Ethics.

Ms. Blewer was excused from the meeting at 12:17 p.m.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered requests for "good cause" waivers of late fees assessed against the following candidates and adopted the staff recommendations on the requests:

The Board unanimously waived the late fees assessed against the following:

Docket No. 13-430 from Walter Bennetti of a \$100 late fee;
Docket No. 13-439 from Marsha Lincoln-Lejeune of a \$1,000 late fee, a \$1,000 late fee
and a \$440 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board

considered a request in Docket No. 13-293 for a waiver of the \$720 late fee assessed against Shelley G. Hebert, a candidate for Iberia City Council in the November 6, 2012 election, for filing her 40-G campaign finance disclosure report 18 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the July meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-430 for a waiver of the \$540 and \$180 late fees assessed against Walter A. Bennetti, a candidate for Jefferson Parish Council in the October 22, 2011 election, for filing his EDE-P and Supplemental campaign finance disclosure reports 9 and 3 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$540 late fee but suspended \$340 conditioned upon future compliance with the Campaign Finance Disclosure Act and rescinded the \$180 late fee in accordance with Rule 1205.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-436 for a waiver of the \$700 late fee assessed against Catherine Hilton, a candidate for Orleans Parish Judge, Juvenile Court in the April 6, 2013 election, for filing her 10-P report campaign finance report 7 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$700 late fee in accordance with Rule 1205D.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 13-853 for a waiver of the \$840 late fee that was assessed against Edwin Shorty, a candidate for Orleans Parish City Court Constable in the November 6, 2012 election, for filing his 10-G report 14 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the July meeting.

The Board considered requests for “good cause” waivers of late fees assessed against the

following individuals in connection with the failure to timely file personal financial disclosure reports:

The Board unanimously waived the late fees assessed against the following:

Docket No. 13-405 from Dorothy Jones of a \$1,500 late fee;
Docket No. 13-408 from James Phillips of a \$1,500 late fee;
Docket No. 13-412 from Kermit Brown of a \$1,500 late fee;
Docket No. 13-446 from Gregory Godeaux of a \$2,500 late fee;
Docket No. 13-569 from Earl Taylor of a \$500 late fee;
Docket No. 13-571 from James Dupree, Jr. of a \$1,500 late fee;
Docket No. 13-573 from Louis Marcantel of a \$1,500 late fee;
Docket No. 13-575 from Victor Delcambre of a \$2,500 late fee;
Docket No. 13-576 from Dwain Lebouef of a \$2,500 late fee;
Docket No. 13-579 from Lasonya Pearson of a \$1,500 late fee;
Docket No. 13-580 from Lionel Melancon, Jr. of a \$1,500 late fee;
Docket No. 13-581 from Julius Prokop of a \$1,500 late fee;
Docket No. 13-582 from Brenda Jeans of a \$1,500 late fee;
Docket No. 13-584 from David Wade of a \$2,500 late fee;
Docket No. 13-586 from David Freeman of a \$1,500 late fee;
Docket No. 13-587 from Douglas Day of a \$2,500 late fee; and,
Docket No. 13-668 from Edward Schmidt of a \$2,300 late fee.

The Board considered a request in Docket No. 13-413 for a waiver of the \$1,500 and \$50 late fees assessed against Somer Lance, a member of the Ferriday Board of Aldermen, for filing her 2010 Tier 3 annual personal financial disclosure statement 50 days late and her 2011 Tier 3 annual personal financial disclosure statement 1 day late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee associated with the 2010 Tier 3 annual personal financial disclosure statement and declined to waive the \$50 late fee associated with the 2011 Tier 3 annual personal financial disclosure statement but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-415 for a waiver of the \$1,500 and \$1,500 late fees assessed against Lloyd Kirtland, member of the Grant Parish Police Jury, for filing his 2009

Tier 3 annual personal financial disclosure statement 308 days late and his 2010 Tier 3 annual personal financial disclosure statement 308 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee associated with the 2009 Tier 3 annual personal financial disclosure statement and declined to waive the \$1,500 late fee associated with 2010 Tier 3 annual personal financial disclosure statement the but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-441 for a waiver of the \$1,500 and \$1,500 late fees assessed against Michael Theriot, a member of the Henderson Town Council, for filing his 2010 Tier 3 annual personal financial disclosure statement 390 days late and his 2011 Tier 3 annual personal financial disclosure statement 55 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee associated with the 2010 Tier 3 annual personal financial disclosure statement and declined to waive the \$1,500 late fee associated with 2011 Tier 3 annual personal financial disclosure statement the but suspended \$1,250 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-570 for a waiver of the \$1,300 and \$2,500 late fees assessed against W.T. Winfield, a member of the East Baton Rouge Parish School Board, for filing his amended 2009 Tier 2 candidate personal financial disclosure statement 13 days late and his 2010 Tier 2 annual personal financial disclosure statement 603 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,300 late fee associated with the 2009 Tier 2 candidate personal financial disclosure statement and declined to waive the \$2,500 late fee associated with 2010 Tier 2 annual personal financial disclosure statement the but suspended \$1,500 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-574 for a waiver of the \$1,500 and \$100 late fees assessed against Brandi Berkley, a member of the Louisiana Commission for the Deaf, for filing her 2010 Tier 2.1 annual personal financial disclosure statement 244 days late and her 2011 Tier 2.1 annual personal financial disclosure statement 2 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee associated with the 2010 Tier 2.1 annual personal financial disclosure statement and declined to waive the \$100 late fee associated with the 2011 Tier 2.1 annual personal financial disclosure statement but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-585 for a waiver of the \$2,500 and \$2,500 late fees assessed against Kevin Ambeau, St. Gabriel Police Chief, for filing his 2009 Tier 2 annual personal financial disclosure statement 288 days late and his 2010 Tier 2 candidate personal financial disclosure statement (10/22/2011 election) 306 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee associated with the 2009 Tier 2 annual personal financial disclosure statement but suspended \$1,500 conditioned upon future compliance with the Code of Governmental Ethics and declined to waive the \$2,500 late fee associated with the 2010 Tier 2 candidate personal financial disclosure statement.

The Board considered a request in Docket No. 13-588 for a waiver of the \$1,500 and \$1,500 late fees assessed against Leola Keys, member of the Richwood Board of Aldermen, for filing her 2009 Tier 3 annual personal financial disclosure statement 245 days late and her 2010 Tier 3 annual personal financial disclosure statement 245 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee associated with the 2009 Tier 3 annual personal financial disclosure statement and declined to waive the \$1,500 late fee associated with the 2010 Tier

3 annual personal financial disclosure statement but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-589 for a waiver of the \$1,500 and \$1,500 late fees assessed against Comerdis Phillips, Mayor of Cotton Valley, for filing his 2009 Tier 3 annual personal financial disclosure statement 327 days late and his 2010 Tier 3 annual personal financial disclosure statement 327 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee associated with the 2009 Tier 3 annual personal financial disclosure statement and declined to waive the \$1,500 late fee associated with the 2010 Tier 3 annual personal financial disclosure statement but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 13-591 for a waiver of the \$1,500, \$1,500 and \$1,500 late fees assessed against Parnell Baham, member of the Town of Independence Board of Aldermen, for filing his 2009 Tier 3 annual personal financial disclosure statement 196 days late, his 2010 Tier 3 annual personal financial disclosure statement 196 days late, and his 2010 Tier 3 candidate personal financial disclosure statement (3/24/12 election) 196 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee associated with the 2009 Tier 3 annual personal financial disclosure statement, declined to waive the \$1,500 late fee associated with the 2010 Tier 3 annual personal financial disclosure statement but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics and declined to waive the \$1,500 late fee associated with the 2010 Tier 3 candidate personal financial disclosure statement but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered an untimely request in Docket No. 13-370 for a waiver of the \$200 late

fee assessed against Jerry Gathings, a member of the West Carroll School Board, for failure to timely file his 2010-2011 school board disclosure statement. On motion made, seconded and unanimously passed, the Board waived the \$200 late fee based on the waiver guidelines.

The Board unanimously agreed to consider the following supplemental agenda items:

The Board considered a proposed consent opinion in Docket No. 10-496 regarding Sylvia Morrow, a member of the Natchitoches City Council, soliciting money from employees of the City and from persons that have or are seeking to have a contractual, financial or other business relationship with the City. On motion made, seconded and unanimously passed, the Board dismissed the charges against Ms. Morrow and adopted for publication, the consent opinion in which Sylvia Morrow agrees that violations of Sections 1111A, 1115 and 1116A of the Code of Governmental Ethics occurred when, at a time when she served as a member of the Natchitoches City Council, she used the authority of her office to solicit and accept money from an employee of the City of Natchitoches and from officers of companies with contracts and business relationships with the City of Natchitoches to pay for her monthly car insurance payments, to pay her electricity bill, to pay for lunches and to pay for her expenses to travel to and attend conferences and used to support nonprofits with whom she was affiliated and in which Ms. Morrow agrees to pay a fine of \$1,000 to be made in monthly installments of \$100 due on the first of each month with the first payment due and owing on June 1, 2013 and the last payment of \$100 due and owing on March 1, 2014.

The Board considered a request for an advisory opinion in Docket No. 13-718 regarding post-employment restrictions that would apply to Rachel Broussard, a current employee of the Department of Health and Hospitals (DHH), who is considering leaving DHH and accepting a position with Louisiana Healthcare Connection. On motion made, seconded and unanimously

passed, the Board concluded that no violation is presented by Ms. Broussard accepting a position as a Pharmacy Director for Louisiana Healthcare Connection, since she will not be providing the same services under contract to DHH and will not be assisting another person for compensation in transactions in which she participated while employed by DHH.

The Board considered a request for an advisory opinion in Docket No. 13-863 regarding Devon Kennedy providing compensated services to Pyke's Driving Academy while he is employed with Slidell Fire District No.1. On motion made, seconded and unanimously passed, the Board concluded that no violation is presented by Mr. Kennedy providing compensated services to Pyke's Driving Academy while he works as a professional firefighter with the Slidell Fire District No. 1, since there is no business, financial or contractual relationship between the Fire District and Pyke's Academy.

The Board considered charges filed in Docket No. 12-1062 against Keith Miller, a candidate for St. John the Baptist Parish Council, for his failure to file a 2010 Tier 3 candidate personal financial disclosure statement. On motion made, seconded and unanimously passed, the Board dismissed the charges against Mr. Miller, since the statement had been filed.

Accepted for filing, the disclosure statements filed in Docket No. 13-869 for May, 2013.

The Board considered a staff memorandum regarding an increase to the food and drink limit which can be expended on a public servant at an event. On motion made, seconded and unanimously passed, the Board adopted and instructed the staff to promulgate the rule to increase the amount from \$56 to \$57.

The Board unanimously adjourned at 12:25 p.m.

Secretary

APPROVED:

Chairman

